

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

DICKEY'S BARBECUE RESTAURANTS, INC. §

Plaintiff, §

§ CIVIL ACTION No. 3:10-CV-0300-P

vs. §

LIRA, LLC and LUIGI MANGIONE §

Defendants. §

SUPPLEMENTAL APPENDIX

TO PLAINTIFF'S (1) MOTION FOR DEFAULT JUDGMENT ON LIABILITY ISSUES, (2)
MOTION FOR ENTRY OF PERMANENT INJUNCTION AND
(3) MOTION FOR CIVIL CONTEMPT AND SANCTIONS

1. Certificate of Service

Respectfully submitted,

WESNER COKE & CLYMER, P.C.

By: Stephen A. Coke
Stephen A. Coke

Texas State Bar No. 04519000

Richard W. Winn

Texas State Bar No. 21779700

Three Galleria Tower - Suite 800

13155 Noel Road

Dallas, Texas 75240

Telephone: (972) 770-2600

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E-mail: scoke@wccpc.com

rwinn@wccpc.com

ATTORNEYS FOR PLAINTIFF

DICKEY'S BARBECUE RESTAURANTS, INC.

SUPPLEMENTAL APPENDIX TO PLAINTIFF'S (1) MOTION FOR DEFAULT JUDGMENT ON LIABILITY ISSUES,
(2) MOTION FOR ENTRY OF PERMANENT INJUNCTION AND (3) MOTION FOR CIVIL CONTEMPT AND SANCTIONS

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

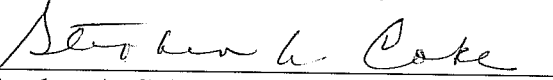
DICKEY'S BARBECUE RESTAURANTS, INC.	§	
Plaintiff,	§	
	§	CIVIL ACTION No. 3:10-CV-0300-P
	§	
vs.	§	
	§	
	§	
LIRA, LLC and LUIGI MANGIONE	§	
	§	
Defendants.	§	

CERTIFICATE OF SERVICE

I, Stephen A. Coke, of Wesner Coke & Clymer, P.C., attorneys of record for Plaintiff Dickey's Barbecue Restaurants, Inc. hereby certify that on April 8, 2010, I forwarded via Federal Express Overnight Delivery, correspondence to Defendants Lira, LLC and Mr. Luigi Mangione, a true and correct copy of which (without voluminous attachments) is attached hereto as Exhibit A and incorporated herein by reference. Also attached as part of Exhibit A are the Sender's Copy and Delivery Receipt showing receipt of the Federal Express shipment by Defendants on April 9, 2010 at 2:27 p.m.

Respectfully submitted,

WESNER COKE & CLYMER, P.C.

By: 

Stephen A. Coke

Texas State Bar No. 04519000

Richard W. Winn

Texas State Bar No. 21779700

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ATTORNEYS FOR PLAINTIFF

DICKEY'S BARBECUE RESTAURANTS, INC.

WESNER COKE & CLYMER, P.C.
ATTORNEYS AND COUNSELORS
THREE GALLERIA TOWER - SUITE 800
13155 NOEL ROAD
DALLAS, TEXAS 75240
(972) 770-2600

WRITER'S DIRECT NUMBER
(972) 702-7274
E-Mail: scoke@wccpc.com

FACSIMILE
(972) 770-2601

April 8, 2010

Lira, LLC
Attn: Luigi Mangione, Registered Agent
Mr. Luigi Mangione, Individually
2441 N. Snow Goose Way
Meridian, ID 83646

Via FED EX 865897112651

Re: Dickey's Barbecue Restaurants, Inc., v. Lira, LLC and Luigi Mangione
In the United States District Court, Northern District of Texas/Cause No.: 3:10-CV-0300-P

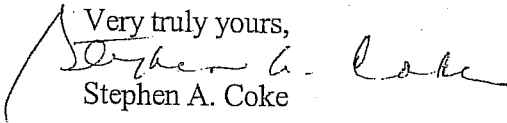
Dear Mr. Mangione:

Enclosed herewith are the following documents filed in the United States District Court, Northern District of Texas on April 8, 2010:

1. Plaintiff's (1) Motion for Default Judgment on Liability Issues (2) Motion for Entry of Permanent Injunction (3) Motion for Civil Contempt and Sanctions and (4) Motion to Correct Record Pursuant to FRCP 60(a);
2. Brief in Support of Plaintiff's (1) Motion for Default Judgment on Liability Issues (2) Motion for Entry of Permanent Injunction (3) Motion for Civil Contempt and Sanctions and (4) Motion to Correct Record Pursuant to FRCP 60(a);
3. Appendix to Plaintiff's (1) Motion for Default Judgment on Liability Issues (2) Motion for Entry of Permanent Injunction (3) Motion for Civil Contempt and Sanctions and (4) Motion to Correct Record Pursuant to FRCP 60(a);
4. Proposed Order.

The enclosures are tendered to you for your records. Kindest regards.

Very truly yours,


Stephen A. Coke

SAC:snp
Encl.

EXHIBIT A

FedEx® US Airbill

Express

FedEx Tracking Number

8658 9711 2651

1 From *Please print and press hard.*
 Date 4/8/10 Sender's FedEx Account Number 1036-5404-1
 Sender's Name Stephen A. Coke Phone (972) 770-2600
 Company WESNER COKE & CLYMER, P.C.
 Address 13155 NOEL RD STE 800
 City DALLAS State TX ZIP 75240
 Dept./Floor/Suite/Room _____

2 Your Internal Billing Reference
 First 24 characters will appear on invoice.

3 To
 Recipient's Name Luigi Mangione Phone ()
 Company Lira, LLC
 Recipient's Address 2441 N. Snow Goose Way
 We cannot deliver to P.O. boxes or P.O. ZIP codes.
 Address _____
 To request a package be held at a specific FedEx location, print FedEx address here.
 City Mendota State ID ZIP 83646

0388468018



Schedule a pickup at fedex.com

Simplify your shipping. Manage your account. Access all the tools you need.

SDA22

0215

0215

4a Express Package Service
☐ FedEx Priority Overnight
 Next business morning, **Friday**
 shipments will be delivered on Monday unless SATURDAY Delivery is selected.
☒ FedEx Standard Overnight
 Next business morning, **Friday**
 shipments will be delivered on Monday unless SATURDAY Delivery is selected.
☐ FedEx 2Day
 Second business day, **Thursday**
 shipments will be delivered on Monday unless SATURDAY Delivery is selected.
☐ FedEx Express Saver
 Third business day, **Thursday**
 shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 *Call for Confirmation.

4b Express Freight Service
☐ FedEx 1Day Freight*
 Next business day, **Friday**
 shipments will be delivered on Monday unless SATURDAY Delivery is selected.
☐ FedEx 2Day Freight
 Second business day, **Thursday**
 shipments will be delivered on Monday unless SATURDAY Delivery is selected.
☐ FedEx 3Day Freight
 Third business day, **Thursday**
 shipments will be delivered on Monday unless SATURDAY Delivery is selected.
 *To most locations.

5 Packaging
☐ FedEx Envelope*
☒ FedEx Pak*
 Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak.
☐ FedEx Box
☐ FedEx Tube
☐ Other _____
 *Declared value limit \$500.

6 Special Handling
☐ SATURDAY Delivery
 NOT Available for FedEx Standard Overnight, FedEx First Overnight, FedEx Saver, or FedEx 3Day Freight.
☐ HOLD Weekday at FedEx Location
 Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.
☒ No ☐ Yes
 As per attached Shipper's Declaration, no request.
☐ Dry Ice
 Dry Ice, 3, UN 1845 _____ x _____ kg
☐ Cargo Aircraft Only
 Dangerous goods (including dry ice) cannot be shipped in FedEx packaging.
7 Payment Bill to: ☒ Sender ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check
 Act. No. in Section 1 will be billed.
 FedEx Act. No. _____
 FedEx Cost No. _____
 Total Packages _____ Total Weight _____ Total Declared Value* \$ _____ .00

8 Residential Delivery Signature Options
 If you require a signature, check Direct or Indirect.
☐ No Signature Required
☒ Direct Signature
 Someone at recipient's address must sign for delivery. Fee applies.
☐ Indirect Signature
 If no one is available at recipient's address, a neighboring address may sign for delivery. Fee applies.
 519

Rev. Date 10/06/09 FedEx Form 41307-01/09-2008 FedEx-PRINTED IN U.S.A.-SHF

Detailed Results

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Enter tracking number

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Detailed Results

Notifications

Tracking no.: 865897112651

Select time format: [12H](#) | [24H](#)[E-mail notifications](#)**Delivered**

Delivered
Signed for by: LAURYE

Shipment Dates

Destination

Ship date ⓘ Apr 8, 2010

Delivery date ⓘ Apr 9, 2010 2:27 PM

[Proof of Delivery](#) ⓘ

Shipment Facts

[Help](#)

Service type	Standard Box - Direct Signature Required ⓘ	Delivered to Reference	Residence
Weight	2.0 lbs/.9 kg		DICHERP/LIZA

Shipment Travel History

[Help](#)Select time zone: [Local Scan Time](#)

All shipment travel activity is displayed in local time for the location

Date/Time	Activity	Location	Details
Apr 9, 2010 2:27 PM	Delivered		
Apr 9, 2010 9:08 AM	On FedEx vehicle for delivery	BOISE, ID	
Apr 9, 2010 8:55 AM	At local FedEx facility	BOISE, ID	
Apr 9, 2010 8:23 AM	At dest sort facility	BOISE, ID	
Apr 9, 2010 4:33 AM	Departed FedEx location	MEMPHIS, TN	
Apr 8, 2010 9:28 PM	Arrived at FedEx location	DALLAS, TX	
Apr 8, 2010 9:05 PM	Left FedEx origin facility	ADDISON, TX	
Apr 8, 2010 7:14 PM	Picked up	ADDISON, TX	